

REMARKS

The rejection of claims 1, 3, 4, 6 to 8, 16 and 17 as being anticipated by Vosteen et al (US Patent 6,878,358) has been overcome in view of the amendment to independent claim 1.

Claim 1 (the only independent claim of the claims rejected for anticipation) has been amended to require the halogen-containing additive to include an ammonium (NH₄) compound. This amendment is supported by the disclosure of exemplary ammonium compounds, including NH₄Cl, NH₄Br and NH₄I. [See Specification at paragraphs 020, 023, 027 and 028].

Vosteen et al does not disclose ammonium. The one mention of ammonium in Vosteen et al is with respect to a “downstream catalytic denitrification plant 11 (selective catalytic denitrification of the clean gas by means of **ammonia**)” at col. 7, lns. 13-14. The reference to using ammonia for catalytic denitrification is unrelated to the teaching in Vosteen et al to use a bromide compound to adsorb mercury from flue gas. A bromide compound is used in all of the mercury removal examples disclosed in Vosteen et al.

There is no anticipation because there is no teaching in Vosteen et al of the claimed step of using an ammonia compound in the halogen containing additive used to adsorb mercury. Anticipation requires the disclosure in a prior art reference of the same invention (including a claimed elements) that is recited by a claim.

The rejection of dependent claim 2, 5, 8 to 15, 18 to 33 is traversed for substantially the same reasons as stated above.

Independent claim 26 has been amended in the same manner as has independent claim 1. Claims 26 and 1 are the only independent claims in this application.

Applicants respectfully disagree with the statement in the Action at page 4 regarding the disclosure of ammonia in Vosteen et al. There is disclosure of ammonia in Vosteen et al other than that mentioned above. In particular, no reference was found to ammonia was found in column 4 of Vosteen et al or in the examples of Vosteen et al.

All claims are in good condition for allowance. If any small matter remains outstanding, the Examiner is requested to telephone applicants' attorney. Prompt reconsideration and allowance of this application is requested.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Jeffrey H. Nelson/

Jeffrey H. Nelson
Reg. No. 30,481

JHN:glf
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100